

## Message Text

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PAGE 01 STATE 116290  
ORIGIN EA-12

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FM SECSTATE WASHDC

TO AMEMBASSY JAKARTA IMMEDIATE

UNCLAS STATE 116290

FOR ASSISTANT SECRETARY HOLBROOKE

E.O. 11652: N/A

TAGS:SOPN, US, VM

SUBJECT: PRESS COVERAGE OF HUMPHREY-HUNG TRIAL

1. FOLLOWING IS TEXT OF PRESS COVERAGE IN MAY 6 EDITION  
OF NEW YORK TIMES.

2. PAGE 24 ARTICLE BY DAVID BURNHAM, FRIDAY MAY 5:  
BEGIN QUOTE: A STATE DEPARTMENT OFFICIAL TESTIFIED IN AN  
ESPIONAGE TRIAL TODAY THAT A SERIES OF GOVERNMENT MESSAGES  
ALLEGEDLY TRANSMITTED TO VIETNAM COULD AFFECT FOREIGN  
RELATIONS AND THE NATIONAL DEFENSE OF THE UNITED STATES.

UNDER CROSS-EXAMINATION, HOWEVER, THE OFFICIAL ACKNOWLEDGED  
THAT A YEAR AGO HE TOLD A STATE DEPARTMENT SECURITY EXPERT  
THAT THE COMPROMISING OF THE DOCUMENTS WOULD RESULT IN  
"MINOR OR NO DAMAGE."

THE OFFICIAL WHO APPEARED TO HAVE CHANGED HIS OPINION WAS  
KENNETH M. QUINN, NOW A SPECIAL ASSISTANT TO RICHARD  
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HOLBROOKE, THE ASSISTANT SECRETARY OF STATE FOR EAST ASIAN  
AND PACIFIC AFFAIRS.

MR. QUINN HAD BEEN CALLED BY FEDERAL PROSECUTORS TO TELL  
THE JURY IN FEDERAL COURT HERE OF THE IMPORTANCE OF THE

DOCUMENTS THAT DAVID TRUONG, A 32-YEAR-OLD VIETNAMESE GRADUATE STUDENT, AND RONALD L. HUMPHREY, 42, AN OFFICIAL IN THE UNITED STATES INFORMATION AGENCY, HAVE BEEN ACCUSED OF STEALING AND TRANSMITTING TO MEMBERS OF THE COMMUNIST GOVERNMENT OF VIETNAM. BOTH HAVE DENIED THE ESPIONAGE AND OTHER CHARGES BROUGHT AGAINST THEM.

NEW MOTION TO DISMISS. IN A SECOND DEVELOPMENT TODAY, LAWYERS FOR MR. TRUONG MADE A SUPPLEMENTAL MOTION TO DISMISS THE INDICTMENTS AGAINST HIM BECAUSE OF THE DISCOVERY LAST NIGHT OF AN ANALYSIS BY THE CENTRAL INTELLIGENCE AGENCY SAYING THAT THE DECISION TO PROSECUTE THE TWO MEN "COULD BE A VERY CLOSE CALL."

THE PREVIOUSLY CLASSIFIED STUDY, DATED MARCH 13, SAID THAT THE CASE WOULD BE DIFFICULT TO PRESENT TO A JURY BUT THAT "A NUMBER OF INDIVIDUAL CABLES COULD BE SAID AT LEAST TANGENTIALLY TO 'RELATE TO THE NATIONAL DEFENSE' BY A JESUIT."

THE JESUITS, OR MEMBERS OF THE SOCIETY OF JESUS, A CATHOLIC RELIGIOUS ORDER, ARE WIDELY KNOWN FOR THE METICULOUS AND DETERMINED ARGUMENTS THEY MAKE IN DEFENSE OF THEIR BELIEFS.

THE C.I.A. STUDY WAS WRITTEN BY RICHARD LEHMAN, AN OFFICIAL IN THE NATIONAL FOREIGN ASSESSMENT CENTER. HE SAID THAT UNCLASSIFIED

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PERHAPS "THE MOST RESPECTABLE ARGUMENT" FOR WHY THE DOCUMENTS COULD BE SAID TO AFFECT NATIONAL DEFENSE IS THAT THEY DEALT WITH VIETNAM, STILL CONSIDERED AN ENEMY STATE, AND "IN THEIR TOTALITY WOULD INDEED GIVE THE VIETNAMESE GOVERNMENT INSIGHTS" INTO EFFORTS BY THE UNITED STATES TO NEGOTIATE A SETTLEMENT.

JUDGE DID NOT RULE. FEDERAL DISTRICT JUDGE ALBERT V. BRYAN, JR. DID NOT RULE ON THE MOTION TO DISMISS THE INDICTMENT AGAINST MR. TRUONG.

THE QUESTION OF WHETHER THE DOCUMENTS THAT THE GOVERNMENT HAS CHARGED WERE TRANSMITTED TO VIETNAM ARE RELATED TO THE NATIONAL DEFENSE IS CRITICAL TO BOTH SIDES. IF THE JURY DECIDES THAT THEY ARE OF LESSER IMPORTANCE, THIS WOULD MEAN THE TWO DEFENDANTS COULD NOT BE CONVICTED OF ESPIONAGE, THE MOST SERIOUS CHARGE BROUGHT AGAINST THEM. THEY ALSO HAVE BEEN CHARGED WITH CONSPIRACY AND FAILURE TO REGISTER AS FOREIGN AGENTS.

IN TODAY'S SESSION, MR. QUINN PROVIDED A DETAILED

ANALYSIS TO THE JURY OF HOW THE DOCUMENTS, IN HIS OPINION,

WOULD AFFECT THE FOREIGN POLICY OF THE UNITED STATES AND  
THUS ITS NATIONAL DEFENSE. BUT IN CROSS-EXAMINATION, HE  
ACKNOWLEDGED THAT ON MAY 11, 1977, HE SAID "SOMETHING TO  
THE EFFECT" THAT THE CABLES WOULD RESULT IN "MINOR OR NO  
DAMAGE." HE DID NOT EXPLAIN THE REASONS FOR THE CHANGE  
IN HIS POSITION.

A REPORT BY ANOTHER OFFICIAL IN THE STATE DEPARTMENT  
OFFICE OF EAST ASIAN AFFAIRS ALSO WAS QUOTED YESTERDAY.  
IT CONCLUDED THAT THERE WAS "LITTLE OF SENSITIVE NATURE  
IN THE DOCUMENTS" AND THE DAMAGE OF THEIR FALLING INTO  
VIETNAM'S HANDS HAD BEEN LIGHT." END TEXT.

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NNN

\*\*\* Current Handling Restrictions \*\*\* n/a

\*\*\* Current Classification \*\*\* UNCLASSIFIED

## Message Attributes

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